

REMARKS

This is responsive to the Office Action dated September 15, 2003 in which the Examiner rejects all the pending claims 1-39 as either being anticipated by, or being obvious over, Barkan et al (US Patent No. 6,366,575) under 35USC §102(e) or 35USC §103(a). Applicants have amended independent claims 14 and 27, and respectfully traverse the rejections of the Examiner based on the amendment to the claims as well as the detailed explanation as follows.

First of all, Applicants believe that a brief explanation of the present invention is helpful in understanding the patentably distinguishing features of the present invention as claimed over the cited prior art. The present invention discloses a novel computer system for providing assistance from agents to clients on behalf of one of more offeror content providers (e.g., companies offering services or products). In particular, as taught by the present invention, the agents are independent agents who are independent of the offeror content providers, and the assistance is selectively facilitated by one of the independent agents, as expressly recited in independent claim 1 as well as in amended independent claims 14 and 27. In other words, the independent agents are not affiliated with the offerors or offeror content providers, and have right to choose to provide (or not to provide) the assistance to the offeree (client) who acknowledges acceptance of the offer to provide assistance offered by the offeror content providers. In a preferred embodiment, the acknowledgement (request for assistance) from the client is registered in one of a plurality of data queues which are each associated with one or more subject matters, and the independent agents may selectively facilitate the assistance by the subject matters, as recited in dependent claims 10, 23 and 36.

Applicants respectfully disagree with the assertion of the Examiner that the present invention as defined in the claims are anticipated by or are obvious over Barkan (US Patent No. 6,366,575). In particular, Applicants do not believe that the distinguishing feature that the assistance is selectively facilitated by one of a plurality of independent agents who are independent of the offeror content

providers, which is expressly recited in original independent claim 1 and amended independent claims 14 and 27, has been taught by Barkan et al, as explained in more detail below.

Barkan et al (US Patent No. 6,366,575) discloses a system for establishing a telephone call between a client (an outside telephone) and an agent (an agent station). The client sends a request for the call to a web server from a web page and the web server forwards the request to a router. The router selects one of the available agents and provides contact information of the selected agent to the client through the web page so that the client can initiate a call to the selected agent. However, nowhere in Barkan can it be found a teaching that the assistance (the call) is selectively facilitated by one of the independent agents, as defined in independent claims 1, 14 and 27 of the present application. To the contrary, the agents in Barkan are not independent agents but are controlled by the company who also controls the web server and the router (see col. 4, lines 51 –53). Moreover, as non-independent agents, the agents have no right to select to provide the assistance or not, but are selected by the router to answer the request from the client (outside telephone). As long as the agent is available, he or she has to answer the request for assistance (the call) if he or she is selected by the router (see, e.g., col. 4, lines 7 – 10, col. 5, lines 53-58, etc). This is typical in an environment where the agents are employers of the company but not independent of the company (the offeror service provider in the claim language), which is a disadvantage in the prior art that the present invention wants to overcome (see page 4, lines 4 – 6 of the original Specification).

Therefore, because of the distinguishing feature that the assistance is selectively facilitated by one of the independent agents who are independent of the offeror content provider, Applicants believe that independent claims 1, 14 and 27 are not anticipated by Barkan, and are therefore patentable.

At least for the same reasons, all the dependent claims 2-13, 15 – 26 and 28 – 39 are also patentable as each of them includes all the limitations of one of the independent claims 1, 14 and 27.



Moreover, dependent claims 10, 23 and 36 further define that the assistance is selectively facilitated by one of the independent agents based on one or more subject matters, which cannot be found anywhere in Barkan either. Thus the patentability of dependent claims 10, 23 and 36 is further strengthened because of this distinguishing feature.

Applicants therefore respectfully request reconsideration and allowance in view of the above remarks and amendments. The Examiner is authorized to deduct additional fees believed due from our Deposit Account No. 11-0223.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Mail Stop Non-fee Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on December 15, 2003.

Dated December 15, 2003 Signed

A handwritten signature in black ink that appears to read "Fern Pekarofski".

Print Name Fern Pekarofski

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